

UNITED STATES DISTRICT COURT

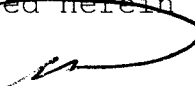
SOUTHERN DISTRICT OF CALIFORNIA '08 MJ 8734

UNITED STATES OF AMERICA,) Magistrate Case No.:
)
Plaintiff,) COMPLAINT FOR VIOLATION OF
)
v.) 21 U.S.C. § 952 and 960
) Importation of a Controlled
10 Alfred Jaramillo RIVERA,) Substance (Felony)
)
11 Defendant.)
)

The undersigned complainant being duly sworn states:

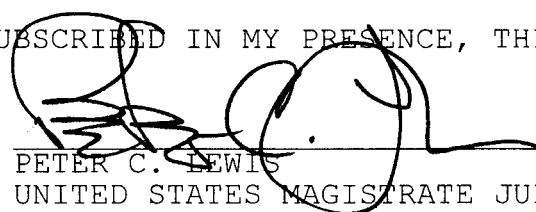
That on or about August 16, 2008, within the Southern District of California, defendant Alfred Jaramillo RIVERA, did knowingly and intentionally import approximately 40.46 kilograms (89.01 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Section 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.



Vincent McDonald, Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 18th
DAY OF AUGUST 2008.



PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, Special Agent Vincent McDonald with the U.S. Immigration and Customs Enforcement, declare under penalty of perjury, the following is true and correct:

On August 16, 2008, at approximately 11:00 a.m., Alfred Jaramillo RIVERA entered the United States from the Republic of Mexico at the Calexico California West Port of Entry. RIVERA was the driver and sole occupant of a 1993 Ford Ranger XLT bearing California (CA) license plate number 7T68440, of which he was not the registered owner. Customs and Border Protection Officers searched the vehicle RIVERA was driving and discovered seven packages wrapped in brown postal tape. The packages were discovered concealed within a compressor stationed on the bed of the vehicle. A sample from one of the packages was obtained and it field-tested positive for marijuana, a Schedule I Controlled Substance. The combined weight of the seven packages was 40.46 kilograms (89.01 pounds).

RIVERA was advised of his Constitutional rights according to Miranda, which he acknowledged and waived agreeing to be interviewed without the presence of an attorney. RIVERA claimed "Chino" provided him with the vehicle for a "dry run" to enter and exit the US prior to transporting the drugs to gain confidence. RIVERA admitted knowing that the vehicle he was driving contained drugs, but he did not know what type. RIVERA stated he was to be paid \$1000 to drive the vehicle into the US from Mexico. Upon crossing the Calexico border to the US, RIVERA added he was instructed by "Chino" to drive to the "McDonald's" in Calexico, CA and leave the car keys under the mat. RIVERA claimed he would then walk home.

Executed on August 17, 2008 at 3:03 a.m.


Vincent McDonald, Special Agent

On the basis of the facts presented in the probable cause statement consisting of one page, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on August 16, 2008, in violation of Title 21, United States Code, Sections 952 and 960.


United States Magistrate Judge

8/17/08 at 3:47am
Date/Time